

Further examination-in-chief of D.W. No.1 Jayesh Arjun Bhandari on oath, on behalf of accused by Advocate Shri. Alok Singh-

We started asking our father as to what has happened to the land of family. One Mr.Dalvi, Officer of Kandivali Police Station have picked up me near Veg Treat Hotel near Vazira Naka as I was called by Bharat Bhandari at that hotel. One Mr.Mukesh Bhandari was also present along with police and Bharat Bhandari. I was taken to one room in Kandivali Police Station and kept in that room in locked condition for 3-4 hours. After that, Dalvi Saheb came. Two constables presented me before Dalvi Saheb. I don't know the names of those constables. Dalvi Saheb told me that my name has cropped up in bicycle theft and cases are filed for theft of bicycle against me. I told him that I don't have any interference in the alleged incident. It is my say that two constables beat me with the help of patta and I was forced to make up and down on bench. I was asked to hit my hands to the floor and they used to beat my hands with patta. At that time Mukesh Bhandari came there and told me that if I want to close down this, then I will have to hand over Rs.1,50,00,000/- through cheque to Bharat Bhandari out of the amount of Rs.3,00,00,000/- deal of land finalized. I told them that I don't have cheque book as I am having salary account. Thereafter, Mukesh Bhandari, Bharat Bhandari and policewale took me to the branch of the bank in which I was having account. The bank told them that they are going to issue self cheque which can be used for withdrawing the amount. Thereafter, policewale took me to police station and started beating me. I told them that I will call my brother and will hand over cheques. I requested them to give some time. My brother has brought entire cheque book. It is my say that policewale

have taken signature of my brother on all cheques and I was released from the police station and thereafter, I was taken to office of Mukesh Bhandari. He told me that I will not have to disclose anything to anybody and I will have to see whatever has to be done about the property. After two days they prepared one agreement. They called me for signature near Borivali Court. My signature was obtained on that day but copy of the agreement was not provided to me. My one friend Mr.Rakesh Shetty was called near the house of Narayan Bhandari on second day and his signature was taken on that day on the agreement. My brother was having no knowledge about the said incident and he doesn't have any interference in the said incident but he came to know about the incident when he came to police station. The agreement was prepared by themselves and it was not given to me for reading.

After the dealing was finalized and amount of Rs.10,00,000/- was given by builder, Mr.Bharat Bhandari and his brother-in-law used to tell me about how to invest that money which was going to me as per the finalized deal about Jayraj Nagar property. They took me to Nalasopara and at that time my friend Rakesh Shetty was with me. They shown me open land and told me that we will construct chawl there. Thereafter, they took me to Bhiwandi where the brother-in-law is having big galas. They have given me proposal of constructing galas. The money for construction was going to come out of the finalized deal. Thereafter, they took me to Teen Haat Naka, Thane. It was told to me that the sister of wife of Bharat Bhandari is having land there and we can develop that. It was finalized upto 50 to 60%. But the same was cancelled as scrap dealer has made encroachment on the land. Thereafter, the Gujarat project came in front of them. We never went to Gujarat nor we have construction business at Gujarat along with Rakesh

Shetty. I was not in need of financial help for my business purpose. I have not carried out any project. Whenever we have visited Gujarat, me, my Advocate Bharat Bhandari were going along with each other. Witness volunteers that I cannot call Advocate as mine as we were having common Advocate. We went to Gujarat as they shown me one incomplete mall there. The meetings were held in presence of our Advocate. The construction work of Mall was stalled one. It is quiet possible that Rs.1,00,000/- out of token money of Rs.10,00,000/- might have been given there. All was going on as per one plan. I was picked up by Crime branch one day prior to agreement for the finalization of deal of Rs.3,00,00,000/- out of which token of Rs.3,00,000/- was given. Bharat Bhandari has not given me a single paisa at any place on any day. My brother is totally innocent and he doesn't have any knowledge about the Gujarat project as he has not visited Gujarat. Whatever expenses that might have been incurred are from the pocket of myself, Rakesh Shetty and Bharat Bhandari for visiting Nalasopara, Teen Haat Naka and Bhiwandi. It was not my proposal that if Bharat Bhandari invest Rs.1,40,00,000/- then he will get good returns from the Gujarat project. I have not given cheque of Rs.1,80,00,000/- against the cheque of Rs.1,40,00,000/-. Present complaint has been filed against me with anger as the complainant were going to be exposed in front of full family about their acts of previously selling property of family.

(Examination-in-chief is deferred till next date.)

R. O. A. C.

Date: 01/10/2021.

Sd/-

kdc

(S. D. Kamat)

Metropolitan Magistrate,
43rd Court, Borivali, Mumbai.